toxin, and

modifying a portion of said coding sequence to yield a modified sequence which contains a greater number of codons preferred by the intended plant host than did said coding sequence.

21. (New) A method of designing a synthetic *Bacillus thuringiensis* gene to be more highly expressed in plants, comprising the steps of:

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analyzing the coding sequence of a gene derived from a *Bacillus thuringiensis* which encodes an insecticidal protein toxin, and

modifying a portion of said coding sequence to yield a modified sequence which has a frequency of codon usage which more closely resembles the frequency of codon usage of the plant in which it is to be expressed.

22. (New) The method of claim 21, wherein the modification step comprises the substitution of at least one nucleotide in the native *Bacillus thuringiensis* coding sequence.

REMARKS

The March 21, 1995 Office Action has rejected all pending claims under 35 U.S.C. 103 as being unpatentable over Adang, et al. taken with either of Barton, et al. or Vaeck, et al.

In response to that rejection, pursuant to the provision of 37 CFR § 607(a), applicants hereby request the declaration of an